

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

LANCE RAIKOGLO,

Plaintiff,

v.

UNITED STATES OF AMERICA, et
al.,

Defendant.

CASE NO. C24-6042 BHS

ORDER

THIS MATTER is before the Court on Magistrate Judge David W. Christel's Report and Recommendation (R&R), Dkt. 3, recommending the Court deny pro se plaintiff Lance Raikoglo's application to proceed *in forma pauperis*, supported by his proposed Complaint, Dkt. 1, and dismiss the case without prejudice and without leave to amend, as facially without merit.

A district court "shall make a de novo determination of those portions of the report or specified proposed finding or recommendations to which objection is made." 28 U.S.C. § 636(b)(1)(C) (emphasis added); *see also* Fed. R. Civ. P. 72(b)(3). It must modify or set aside any portion of the order that is clearly erroneous or contrary to law.

1 Fed. R. Civ. P. 72(a). The district judge may accept, reject, or modify the recommended
2 disposition; receive further evidence; or return the matter to the magistrate judge with
3 instructions. Fed. R. Civ. P. 72(b)(3).

4 The Court must “review the Magistrate Judge’s findings and recommendations de
5 novo *if objection is made*, but not otherwise.” *United States v. Reyna-Tapia*, 328 F.3d
6 1114, 1121 (9th Cir. 2003) (citing § 636(b)(1)(C)). A proper objection requires “specific
7 written objections to the proposed findings and recommendations.” Fed. R. Civ. P.
8 72(b)(2).

9 Raikoglo has not objected to the R&R, and its recommended disposition of his
10 pending *in forma pauperis* application and claim is neither clearly erroneous nor contrary
11 to law. The R&R is therefore **ADOPTED**. Raikoglo’s *in forma pauperis* application is
12 **DENIED**, and this matter is **DISMISSED** without prejudice and without leave to amend.
13 Raikoglo’s “proposed motion for appointment of counsel,” Dkt. 1-3, is **DENIED**.

14 The Clerk shall enter a **JUDGMENT** and close the case.

15 **IT IS SO ORDERED.**

16 Dated this 13th day of January, 2025.

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19 BENJAMIN H. SETTLE
20 United States District Judge
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